

~~BOB~~ ~~BOB~~  
332  
Pink

**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

IN REPLY REFER TO:  
1800B3-CRB

A. Wray Fitch III, Esq.  
Gammon & Grange, P.C.  
8280 Greensboro Drive  
7th Floor  
McLean, Virginia 22102

In re: Noncommercial Educational FM  
Broadcast Station (New)  
New Berlin, Pennsylvania  
88.1 MHz, Channel 201A  
BPED-950404MD

Dear Mr. Fitch:

We have under consideration the above-captioned application of Montrose Broadcasting Corporation ("Montrose") to construct a new, noncommercial educational ("NCE") FM station in New Berlin, Pennsylvania on Channel 201A. Montrose requests waiver of the Commission's main studio requirements in order to operate the New Berlin station as a satellite of its NCE station, WPGM-FM, Danville, Pennsylvania. *See* 47 C.F.R. §73.1125. For the reasons set forth below, we will waive Section 73.1125 and grant Montrose's application for a construction permit.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour. This requirement was established to ensure that the station will serve the needs and interests of the residents of its community of license. Amendment of Sections 73.1125 and 73.1130, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement when "good cause" exists to do so and when the proposed studio location "would be consistent with the operation of the station in the public interest." The Commission has recognized the benefits of centralized operations for NCE stations, given their limited funding, and thus has found that "good cause" may exist to waive the main studio location requirement in appropriate circumstances. A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. Each waiver request by an NCE station seeking to operate as the satellite of another NCE station is considered on a case-by-case basis.

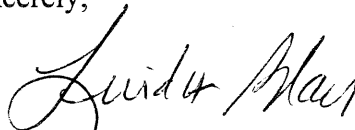
Montrose explains that even though New Berlin is beyond the predicted 1 mV/m contour of WPGM-FM, it has been providing over-the-air service to New Berlin and surrounding areas on Channel 244 for the past 25 years. However, interference from two new stations, one on Channel 244 and the other on Channel 242, now prevents listeners from adequately receiving the WPGM-FM signal. The satellite station will enable Montrose to resume WPGM-FM's service to these areas.

Based on Montrose's showing, we conclude that "good cause" exists to waive Section 73.1125(a)(4) of the Commission's rules. Although Montrose proposes to operate the New Berlin station as a satellite of WPGM-FM, Danville, Pennsylvania, approximately 25 miles from New Berlin, Montrose has demonstrated that it will take adequate measures to maintain its awareness of the satellite community's needs and interests. To this end, Montrose has pledged to: (1) maintain the station's public file in New Berlin, as required by Section 73.3527(d); (2) establish a toll-free telephone service to the main studio for all communities within the New Berlin service area, as required by Section 73.1125(c); (3) establish an advisory board consisting of New Berlin area community leaders which will provide input on community-oriented public affairs programming; (4) conduct an informal ascertainment of the community's needs from area leaders at least once every six months; (5) ascertain issues of concern through subscriptions to local newspapers; (6) air educational, public affairs, and news programming responsive to the needs of the New Berlin service area; and (7) provide the main studio in Danville with equipment capable of broadcasting separate programming on the satellite station when appropriate. Under these circumstances, we are persuaded that Montrose will meet its local service obligations and that grant of the requested waiver is consistent with the public interest.

Montrose proposes to mount its antenna on an existing tower with several other broadcast stations. Pursuant to OST Bulletin No. 65, October, 1985, entitled, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radiofrequency Radiation," when persons have access to the site, the transmitter power must be reduced or eliminated to comply with Commission guidelines. When there are multiple contributors to radiofrequency radiation, all stations are required to reduce power or cease operations as necessary to assure safety with respect to radiofrequency radiation. *See Public Notice*, August 19, 1992, Mimeo 24479. We will specify an appropriate condition on the authorization. The application is otherwise in full compliance with the Commission's rules and can be granted.

Accordingly, pursuant to the above and 47 C.F.R. § 0.283, the request of Montrose Broadcasting Corporation for waiver of 47 C.F.R. § 73.1125 IS GRANTED, and its application (BPED-950404MD) to construct a new, noncommercial educational station in New Berlin, Pennsylvania, IS GRANTED, subject to the condition that Montrose Broadcasting Corporation, in coordination with all other users of its specified tower site, will reduce power or cease operations, as necessary, to protect persons having access to the site, tower, or antenna from radiofrequency radiation in excess of Commission guidelines.

Sincerely,



Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau

cc: Montrose Broadcasting Corporation